

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DONALD OLMSTEAD,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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No. 4:08CV203RWS

MEMORANDUM AND ORDER

This matter is before me on a Report and Recommendation to affirm the decision of the Commissioner of Social Security to deny Plaintiff disability insurance benefits and supplemental security income. Neither of the parties has filed an objection to this recommendation.

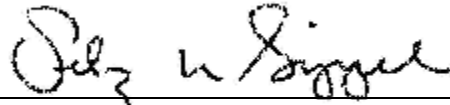
This matter was referred to United States Magistrate Judge Lewis M. Blanton for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Blanton issued a Report and Recommendation on February 9, 2009 that recommended that the Commissioner's decision to deny benefits should be affirmed. Judge Blanton found that the Administrative Law Judge's determination that Plaintiff was not entitled to benefits was supported by substantial evidence in the record.

Any objections to Judge Blanton's Report and Recommendation had to be filed by February 20, 2009. Neither of the parties has filed an objection as of today's date.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge Blanton is **SUSTAINED, ADOPTED AND INCORPORATED** herein. The Commissioner of Social Security's decision to deny disability benefits to Plaintiff is affirmed.

Dated this 23rd day of February, 2009.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE